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JAN 18 2006

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Date: January 18, 2006

File Number: 01ZS-105709

Total number of pages:
(including 1-page cover sheet)

7

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<u>TO:</u>	<u>Facsimile No.</u>	<u>Telephone No.</u>
United States Patent & Trademark Office (Central Facsimile Number)	(571) 273-8300	

From: David Schnapf, Reg. No. 31,566	Direct Dial: 415-774-3282
Re: USSN: 10/626,104	

MESSAGE: PLEASE SEE ATTACHED.

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W02-SF:5JW1\61405550.1

PAGE 1/7* RCVD AT 1/18/2006 5:50:27 PM [Eastern Standard Time]* SVR:USPTO-EFXRF-6/30* DNIS:2738300* CSID:415 434 3947* DURATION (mm:ss):03:18

JAN 18 2006

PTD/SB/64 (10-05)

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
012S-105709First named inventor: **Michio Ohkubo**Application No.: **10/626,104**Art Unit: **2828**Filed: **July 23, 2003**Examiner: **VAN ROY, Tod Thomas**Title: **"RIDGE WAVEGUIDE SEMICONDUCTOR LASER DIODE"**

Attention: Office of Petitions
 Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450
 FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional,

1. Petition fee

Small entity-fee \$ _____ (37 CFR 1.17(m)), Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply):

has been filed previously on _____.
 is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1,700.00.

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(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/84 (10-06)

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3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

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Signature

1/18/06

Date

David Schnapf

Typed or printed name

Sheppard Mullin Richter & Hampton LLP

31,566

Registration Number, if applicable

(415) 434-9100

Telephone Number

Address
Four Embarcadero Center, 17th Floor
San Francisco, CA 94111

Address

Enclosures: Fee Payment The Commissioner is hereby authorized to charge the total fee of \$3,200.00 to Deposit Account No. 501395.

Reply The Commissioner is also authorized to charge any deficiency or credit any overpayment to Deposit

Terminal Disclaimer Form Account No. 501395. This sheet is filed in duplicate.

Additional sheets containing statements establishing unintentional delay

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January 18, 2006

Date

Signature

Jordan Wilson

Typed or printed name of person signing certificate

JAN 18 2006

PTO/SB/64 (10-05)

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[Page 1 of 2]

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David Schnapf 1/18/06

Signature

Date

David Schnapf

31,566

Typed or printed name

Registration Number, if applicable

Sheppard Mullin Richter & Hampton LLP

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